

ORDINANCE NO. 1755

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
REPEALING LODI MUNICIPAL CODE TITLE 8 HEALTH & SAFETY
CHAPTER 8.24 IN ITS ENTIRETY RELATING TO COMPREHENSIVE
MUNICIPAL ENVIRONMENTAL RESPONSE AND LIABILITY (MERLO)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

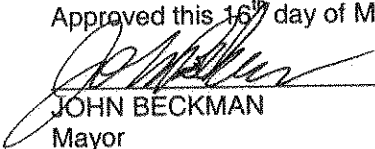
Section 1. Lodi Municipal Code Title 8 Health & Safety Chapter 8.24 – Comprehensive Municipal Environmental Response & Liability Ordinance (MERLO) is hereby repealed in its entirety.

Section 2 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 4. This ordinance shall be published one time in the "Lodi News Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 16th day of March, 2005.


JOHN BECKMAN
Mayor

Attest:


SUSAN J. BLACKSTON
City Clerk

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1755 was introduced at a regular meeting of the City Council of the City of Lodi held March 2, 2005, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held March 16, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Johnson, Mounce, and Mayor Beckman

NOES: COUNCIL MEMBERS – None


ABSENT: COUNCIL MEMBERS – Hansen

ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1755 was approved and signed by the Mayor of the date of its passage and the same has been published pursuant to law.


SUSAN J. BLACKSTON
City Clerk

Approved as to Form:


D. STEPHEN SCHWABAUER
City Attorney